



Federal Communications Commission
Washington, D.C. 20554

DA 12-1656

October 17, 2012

Jerome Kambic
Commonwealth of Pennsylvania
333 Market St.
2nd Floor
Harrisburg, PA 17126 -0333

Re: Call Sign E120097
File No. SES-LIC-20120530-00485

Dear Mr. Kambic:

On June 4, 2102, the Commonwealth of Pennsylvania (COP) filed the above captioned application for a Ku-band (12/14 GHz) mobile uplink Satellite News Gathering (SNG) truck earth station authorization. For the reason stated below, we dismiss this application as defective without prejudice to refileing.

Section 25.112(a) of the Commission's rules, requires the Commission to return, as unacceptable for filing, any earth station application that contains internal inconsistencies, is not substantially complete, or does not comply with the Commission's rules.¹ COP's application contains internal inconsistencies and does not comply with the Commission's rules, rendering it unacceptable and subject to dismissal. The deficiencies are as follows.

COP wrongly classifies its proposed SNG earth station operation in its response to FCC Form 312 (Form 312) Item 43, as a "Mobile Earth Station" operating in the Mobile Satellite Service (MSS). This type of station is a "Temporary-Fixed Earth Station" operating in the "Fixed Satellite Service (FSS)" pursuant to Section 25.277 of the Commission's rules.²

All earth stations are subject to the filing requirements of Section 25.130 of the Commission's rules.³ COP failed to provide responses to Items E28 through E60 of the Schedule B of Form 312. Its application is therefore incomplete. When it refiles, COP should provide the information required in Items E28 through E60 of Schedule B.

¹ 47 C.F.R. § 25.112 (a).

² 47 C.F.R. § 25.277.

³ 47 C.F.R. § 25.130.

Based on the foregoing, and pursuant to Section 25.112(a) of the Commission's rules, and Section 0.261 of the Commission's rules on delegations of authority,⁴ we dismiss the application of the Commonwealth of Pennsylvania as defective.

Sincerely,

Paul E. Blais
Chief, Systems Analysis Branch
Satellite Division
International Bureau

⁴ 47 C.F.R. §§ 25.112 and 0.261.